



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
AUGUST 9, 2005

6:30 PM

- STUDY SESSION

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to consider employment of a public officer, employee, staff member or individual agent and pending litigation under ORS 192.660(2)(a)(h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

- Receive Testimony – Sign-In Sheet for Citizen Communication
- Follow-up to Previous Citizen Communication

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for July 12, and 19, 2005
- 3.2 Receive and File:
 - a. Council Calendar
 - b. Council Meeting Tentative Agenda

3.3 Local Contract Review Board:

- a. Award Contract to Brix Paving for the Construction of the FY 2005-06 Pavement Major Maintenance Program (PMMP) – Phase 1
- b. Authorize Reimbursement to Venture Properties for Waterline Construction Through Summit Ridge Subdivision Development

- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.

4. METRO COUNCILOR HOSTICKA TO PRESENT INFORMATION ON METRO'S OPEN SPACES, TREASURED PLACES CELEBRATION

- Staff Introduction: Community Development Department

5. SET OVER TO THE AUGUST 23, 2005, CITY COUNCIL MEETING THE CONSIDERATION OF THE FINAL ORDER REGARDING THE APPEAL OF CONDITIONAL USE PERMIT FOR THE TIGARD FIRST BAPTIST CHURCH EXPANSION

ITEM ON APPEAL: On April 25th, 2005 the Tigard Hearing's Officer held a public hearing to consider an application for conditional use approval to construct a 22,500 square foot expansion of the existing church and associated parking in three phases. As part of Phase 2, the applicant proposed to relocate the existing driveway on SW Gaarde Street. The Hearing Officer adopted findings approving the Conditional Use Permit and Sensitive Lands Reviews and denied the requested Adjustment to the access spacing standards. An appeal was filed on May 25, 2005 by the owner and applicant, on the basis that the Hearing's Officer misconstrued the applicable law. More specifically, the appellant's argue that the Hearing Officer's decision failed to balance the approval criteria.

LOCATION: 11075 SW Gaarde Street; WCTM 2S103DC, Tax Lot 1100.

ZONE: R-3.5: Low-Density Residential District.

REVIEW CRITERIA BEING APPEALED: Community Development Code Chapters 18.370 and 18.705.

- a. Summation by Community Development Staff
- b. Council Consideration: Motion to Set over Consideration of the Final Order Appeal of Conditional Use Permit for the Tigard First Baptist Church Expansion

6. INFORMATIONAL PUBLIC HEARING – FORMATION OF SANITARY SEWER REIMBURSEMENT DISTRICT NO. 35 (SW ASH AVENUE)
- a. Open Public Hearing
 - b. Summation by Engineering Staff
 - c. Public Testimony
 - d. Staff Recommendation
 - e. Council Discussion
 - f. Close Public Hearing
 - g. Council Consideration: Resolution No. 05-_____

7. PUBLIC HEARING (QUASI-JUDICIAL) TO CONSIDER ANNEXATION OF THE FOLLOWING FOUR PROPERTIES:

FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2004-00004
FILE TITLE:	MOUNTAIN VIEW ESTATES SUBDIVISION ANNEXATION
REQUEST:	The applicant is requesting to annex two (2) parcels of land containing 6.94 acres into the City of Tigard.
LOCATION:	12415 SW Beef Bend Road, WCTM 2S110CB, Tax Lot 500; and (No site address), WCTM 2S110CB, Tax Lot 100.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00001
FILE TITLE:	ARLINGTON HEIGHTS 3 SUBDIVISION ANNEXATION
REQUEST:	A request to annex three (3) parcels of land containing 16.97 acres into the City of Tigard.
LOCATION:	On the north side of SW Beef Bend Road and the southern terminus of SW Summerview Drive. WCTM 2S109DA, Tax Lot 2100; and 2S110CB, Tax Lots 600 and 700.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00002
FILE TITLE:	WILSON RIDGE SUBDIVISION ANNEXATION
REQUEST:	A request to annex two (2) parcels of land containing 2.68 acres into the City of Tigard.
LOCATION:	13350 and 13400 SW Bull Mountain Road; WCTM 2S109AC, Tax Lots 100 and 200.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00003
FILE TITLE:	ALBERTA RIDER SCHOOL/SUMMIT RIDGE SUBDIVISION ANNEXATION
REQUEST:	Annexation of 56 parcels containing approximately 20.75 acres into the City of Tigard.
LOCATION:	<u>Alberta Rider School:</u> WCTM 2S109AC, Tax Lot 2100 and 2S109AD,

Tax Lot 1300; and Remaining Portions of Summit Ridge Subdivision:
WCTM 2S109DA, Tax Lots 8500, 8600, 8700, 8800, 9400, 9500,
9600, 9700, 9800, 9900, 10000, 10100, 10200, 10300, 11500,
11600, 11700, 11800, 11900, 12000, 12100, 12200, 12300,
12400, 12500, 12600, 12700, 12800, 12900, 13000, 13400 and
13500, and WCTM 2S109DB, Tax Lots 1000, 1900, 2100, 2200,
2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200,
3300, 3400, 3500, 3600, 3700, 3800, 3900 and 4000.

ZONING OF ALL PARCELS: R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

APPLICABLE REVIEW CRITERIA: The approval standards for annexations are set out in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Policies 2 and 10; ORS Chapter 222; and Metro Code Chapter 3.09.

- a. Mayor Dirksen: Open Public Hearing
- b. City Attorney: Rules of Procedure
- c. Declarations or Challenges
 - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?
 - Have all members familiarized themselves with the application?
 - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?
- d. Staff Report: Community Development Department
- e. Public Testimony
 - Applicants
 - 1. Mountain Estates Subdivision Annexation
 - 2. Arlington Heights 3 Subdivision Annexation
 - 3. Wilson Ridge Subdivision Annexation
 - 4. Alberta Rider School/Summit Ridge Annexation

Sign-in sheets have been provided for each annexation proposal.

At this time, the Mayor will call forward persons who wish to testify in the following order:

- Proponents (For Annexation Proposals in Item 6.e. 1-4 as listed above)
- Opponents (For Annexation Proposals in Item 6.e. 1-4 as listed above)
- Rebuttal
 1. Mountain Estates Subdivision Annexation
 2. Arlington Heights 3 Subdivision Annexation
 3. Wilson Ridge Subdivision Annexation
 4. Alberta Rider School/Summit Ridge Annexation

f. Staff Recommendation

g. Council Discussion

h. Close Public Hearing

i. Council Consideration:

- Ordinance No. 05 - ____ (Mountain Estates Subdivision Annexation)
- Ordinance No. 05- ____ (Arlington Heights 3 Subdivision Annexation)
- Ordinance No. 05- ____ (Wilson Ridge Subdivision Annexation)
- Ordinance No. 05- ____ (Alberta Rider School/Summit Ridge Annexation)

8. COUNCIL LIAISON REPORTS

9. NON AGENDA ITEMS

10. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

11. ADJOURNMENT

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